

Appl. No. : 09/574,626
Filed : May 19, 2000

REMARKS

Claims 1, 3, and 14 have been amended to correct the antecedent basis of several terms. As a result, Claims 1, 3-33 are presented for the examination. The following addresses the substance of the Office Action.

Compliance with 35 USC §112

The Examiner has rejected claims 1 and 3-33 under 35 USC §112, second paragraph, as being indefinite. More specifically, Claim 1 was rejected for reciting "a capture molecule" on line 4 and on line 3, for then reciting "said capture molecule" on lines 4-5; for reciting "in one or more discrete regions" in line 10, "in discrete regions" in line 11, and "at least 20 discrete regions" in the same line, therefore making it unclear as to which discrete regions the phrase "the discrete regions" in line 12 refers to. Applicant has amended Claim 1 accordingly.

Claim 3 was rejected for lack of antecedent basis for "said metallic compound". Applicant has amended Claim 3 to now recite "said metallic precipitate" which has exact antecedent basis in Claim 1.

Claim 14 was rejected for reciting "one or more discrete regions" on line 16 and "at least 20 discrete regions" in line 2. Claim 14 was also rejected for reciting "some of said capture molecule", which makes the claim unclear. Applicant has amended Claim 14 accordingly. Support for the amendments to Claim 14 can be found in the Specification as filed, for example, on page 4, lines 16-20; and on page 5, lines 2-5.

In view of the amendments, Claims 1, 3 and 14 are now clear and definite. Therefore the rejection of Claims 1, 3-33 over 35 USC §112, second paragraph should be withdrawn.

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CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, Applicants request the expeditious allowance of the pending claims.


The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call the undersigned at (619) 687-8633 (direct line), to discuss such issues.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Feb. 24, 2005

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